

## REMARKS

The Applicant thanks the Examiner for indicating that claims 21 and 32-34 would be allowable if appropriately amended to overcome the raised rejections and rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In accordance with this indication, the Applicant has combined the subject matter of claim 20 with the allowable subject matter of claim 21 as new independent claim 39.

The drawings are objected to by the Examiner for the reasons noted in the official action, e.g., the failure to show in the drawings each feature specified in the claims. All of the raised drawing objections are believed to be overcome by new drawing and the requested drawing amendments accompanying the attached Submission. If any further amendment to the drawings of this application is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

Claims 20-38 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections.

With regard to claim 20, the Applicant asserts that a means for raising the blade 10 and a means for electrically connecting the blade 10 to a feed circuit of the vehicle would be known in the art and therefore further description of these corresponding structures is not necessary.

Claims 20, 23-26 and 37-38 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Flodell '712 (U.S. Patent No. 3,848,712). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

Flodell '712 relates to a device for conducting electrical energy from an electrical rail to a vehicle be propelled along the rail. This device includes a current collecting means 1, in which are embedded electrically conductive wires 3a, 3b. These wires 3a, 3b pass from the vehicle completely through the current collecting means 1 and extend from the end of the current collecting means 1 to a contact means 21. The contact means 21 is supported by a

sliding body 14, which is loosely connected, via a pin 25, to the end of the current collecting means 1. The sliding body 14 is dragged in a cavity within profiles 10a, 10b. The sliding body 14 has a pair of brushes 22, which extend upwardly to contact exposed surfaces of a pair of conductors 12, 27. The pair of conductors 12, 27 are encased in the profiles 10a, 10b such that the exposed surfaces of the conductors face downward. The profiles 10a, 10b are housed in a profile carrier support 6, which has a slot 8 through which the current collecting means 1 extends. Each of the profiles 10a, 10b has an upper lip 13 that are aligned with each other to mate and seal the cavity within the profiles 10a, 10b. As the current collecting means 1 passes longitudinally along the slot 8 it separates the mating lips 13, which then return to mating contact after passage of the current collecting means 1.

There are many distinctions between the claims of the application and the cited reference of Flodell '712. The claims of the application include conductors which are supported by a holding fixture. Each of these holding fixtures is coupled to an elastic restoring return such that when the collection blade passes between the holding fixtures, the elastic restoring returns are compressed allowing for separation of the holding fixtures passage of the collection blade. When the collection blade has passed, the elastic restoring returns bias the holding fixtures back into communication with each other. In this manner the elastic restoring returns bias the conductors into communication with the collection blade.

In distinction, the device of Flodell '712 teaches that lips 13 of the profile fixtures 10a, 10b flex to allow passage of the blade 1. The conductors 12, 27 are supported by the profile fixtures 10a, 10b, however the profile fixtures 10a, 10b are not coupled to any type of elastic restoring return, which would bias the profile fixtures 10a, 10b nor the conductors 12, 27 towards each other.

Furthermore, the claims of the application recite that the blade is in direct sliding contact with conductors. This is certainly distinct from the teachings of Flodell '712, which teaches that the blade extends down until it reaches the cavity located between the two profile holding fixtures. At this point the blade, wires extending from the end of the blade extend along and are supported in a sliding body and then a coupled to brushes. These brushes then contact the

conductors. As such, there are no surfaces on the blade that directly communicate with the conductors.

The device of Flodell '712 is much more elaborate than the claimed device and comprises a large number of elements to collect electrical energy.

Claims 20, 23, 25-31 and 35-38 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Andre '717 (U.S. Patent No. 5,960,717) in view of Flodell '712. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

Andre '717 relates to an electrical power supply and guidance assembly for a wheeled vehicle. The assembly includes an electrical connector blade 49 that connects the vehicle with the electrical energy supply via two conductors 51, 52. The two conductors 51, 52 are fixed in grooves 55, 56 of insulating layers 53, 54, which maintain the two conductors 51, 52 in position. The insulating layers 53, 54 are supported by guide members 46, 47, which also support two hollow profiles 60, 61. The hollow profiles 60, 61 are flexible and have surfaces which mate to form a seal. When the conductor blade 49 passes the profiles 60, 61 are compressed and after the blade 49 has passed the profiles 60, 61 return to their original shape to reform the seal. The profiles 60, 61 purpose is to form a seal and protect the conductors 51, 52 from the outside elements while at the same time restricting access to the conductors 51, 52 and preventing harm or injury that might otherwise occur. The flexible profiles 60, 61 are completely independent of and separated from the insulating layers 53, 54 and the conductors 51, 52.

The claims of the application are distinct from the teaching of Andre '717. Like the flexible lips 13 of Flodell '712, Andre '717 teaches flexible profiles 60, 61, however in both cases the flexible lips 13 and the flexible profiles 60, 61 have absolutely nothing to do with maintaining the connection between the blades and the respective conductors. The lips 13 and the flexible profiles 60, 61 of the two references merely form a seal between the outside environment and the interior of the assembly. The two conductors 51, 52 are supported in insulating layers 53, 54, which maintain the two conductors 51, 52 in position. Andre '717 does not provide any teaching to suggest that the insulating layers 53, 54 are coupled to an elastic restoring return that would compress and expand allowing the insulating layers 53, 54 and the

conductors 51, 52 to separate and return to their original position as the collector blade passes.

In contrast, the claims of the application include conductors which are supported by holding fixtures, which are coupled to an elastic restoring return such that when the collection blade passes between the holding fixtures, the elastic restoring returns are compressed allowing for separation of the holding fixtures passage of the collection blade. And when the collection blade has passed, the elastic restoring returns bias the holding fixtures back into communication with each other so as to bias the conductors into communication with the collection blade.

Claims 27-28 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Flodell '712 in view of Chandler '439 (U.S. Patent No. 4,083,439). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

Claim 22 is rejected, under 35 U.S.C. § 103(a), as being unpatentable over Andre '717 in view of Flodell '712 and further in view of Luer '711 (U.S. Patent No. 592,711). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The Applicant acknowledges that the additional references of Chandler '439 and Luer '711 may arguably relate to the features indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base references with this additional art still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claims of this application now recite the features of "the blade (10) has at least one surface (17, 18) that is maintained in direct sliding electrical contact along one of conductors or conducting parts (19, 20) which are supported by each profile holding fixture (23, 24), each of the profile holding fixtures (23, 24) is provided with one of an elastic restoring return (25) or a series of separate restoring returns (52) to urge one of the profile holding fixtures (23, 24) towards the other one of the profile holding fixtures (23, 24)

by elastic compression engendering locally the elastic restoring force to urge the profile holding fixtures (23, 24) together after lateral compression". Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

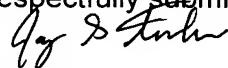
In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Flodell '712, Chandler '439, Andre '717, and/or Luer '711 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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FIG.3

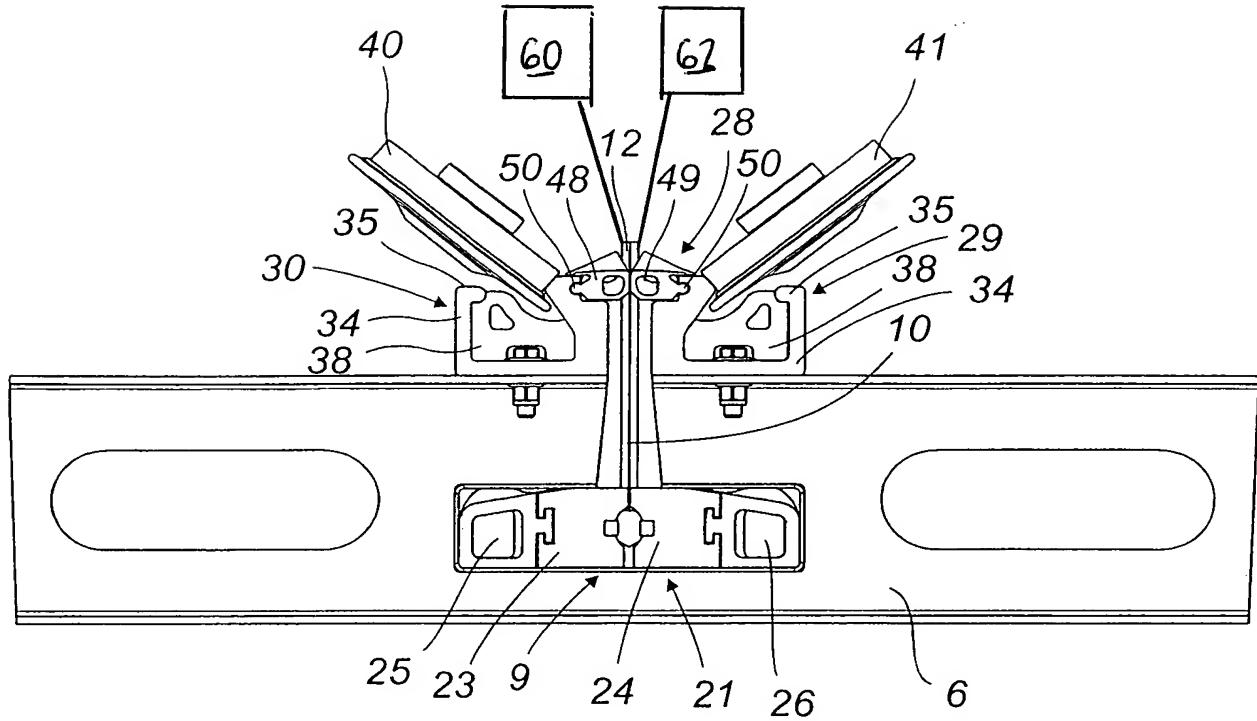


FIG.4

